THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

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WRIT PETITION No.25951 of 2005

Between:

S.G.S. College, Jaggayyapeta, Krishna District,
Rep. by its Secretary and Correspondent.

..... PETITIONER

AND

State of Andhra Pradesh, Rep. by its Principal Secretary to
Government, Higher Education Hyderabad and others.

.....RESPONDENTS

ORDER:

The petitioner is an aided private degree college. While some of the posts in it are aided, the rest are outside the aid. Even in respect of unaided vacancies, the petitioner is under obligation to obtain permission from the second respondent before any appointments are made. After obtaining necessary permission, the petitioner proceeded to undertake selection for the posts of lecturers in several subjects, including Hindi and Physics. Ultimately, the Selection Committee, constituted in accordance with the prescribed rules, selected five candidates as lecturers in various subjects, through its proceedings dated 12.10.2001. The second respondent is said to have approved these selections.

The petitioner contends that the posts of lecturers in Hindi and Physics, which are

admitted to grant-in-aid, have fallen vacant and though proposals were submitted way back on 16.04.2002 for absorbing the candidates selected and appointed through proceedings, dated 12.10.2001, no action has been taken thereon.

Heard the learned counsel for the petitioner and the learned Government Pleader for Higher Education.

The very purpose of insisting on obtaining prior permission and following the selection process even in respect of unaided vacancies in aided institutions, is to ensure that in the event of the aided posts becoming vacant, the candidates selected against unaided vacancies be considered for absorption. The petitioner states that it appointed lecturers in Hindi and Physics against unaided vacancies duly following the prescribed procedure and that such appointments have been, in fact, approved by the second respondent. When proposals are submitted by the petitioner for absorption of candidates, who are selected against unaided vacancies, the second respondent is under obligation to consider the same and pass appropriate orders. Keeping the posts vacant and the proposals unattended to for years together would defeat the very purpose of admitting the posts to grant-in-aid.

For the foregoing reasons, the writ petition is disposed of directing the second respondent to pass appropriate orders on the proposals submitted by the petitioner on 16.04.2002, within a period of two months from the date of receipt of a copy of this order. There shall be no order as to costs.

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06.12.2005

Note: Furnish C.C., in one week.

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